

Dated: 04 March 2011 09:44 AM

ENTERED PURSUANT TO ADMINISTRATIVE ORDER NO.  
03-4, KENNETH J.HIRZ, CLERK OF BANKRUPTCY COURT  
BY: /s/ Dorothea Hutchins  
Deputy Clerk

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO

In re:	Tobias Matthew Toothman	) Chapter 13 Case No. 10-22273-B
	XXX-XX-5024	)
	Stacie Lee Toothman	) Hon. Randolph Baxter
	XXX-XX-6663	)
	Debtors	)

**ORDER DISMISSING CASE AND RELEASING  
INCOME OF DEBTORS FROM THE JURISDICTION OF THE COURT**

This case came on for consideration by the Court upon all the matters scheduled for hearing on February 24, 2011.

The Motion to Modify filed by the debtors is hereby denied. The objection to confirmation filed by the Chapter 13 Trustee is sustained. The objection to confirmation filed by US Bank is hereby rendered moot.

IT IS HEREBY ORDERED that confirmation of the plan is denied, and the case is hereby dismissed, based upon the Court's finding(s) that:

The Debtors are in material default in funding the Plan. The Debtors received notice that failure to make required plan payments could result in dismissal without further notice or hearing through the "Additional Notices for Chapter 13 Cases in Cleveland, Ohio" attached to the court-issued "Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, and Deadlines."

The Debtors and/or the Debtors' employer, as well as the future income of the Debtors, are hereby released from the supervision and control of the Court, as well as any order of the Court requiring payments to the Trustee in this case.

Submitted by:

/S/ Craig Shopneck

**CRAIG SHOPNECK (#0009552)**

Chapter 13 Trustee

200 Public Square, BP Tower Suite 3860

Cleveland OH 44114-2321

Phone (216) 621-4268 Fax (216) 621-4806

Ch13shopneck@ch13cleve.com

## **SERVICE LIST**

Craig Shopneck, Chapter 13 Trustee

Office of the U.S. Trustee (served via ECF)

All creditors and parties of interest

Lauren E Perko, Attorney for Debtors (served via ECF)

Stacie Lee & Tobias Matthew Toothman, Debtors

1242 Orchard Glen Dr

Amherst OH 44001

Ppg Industries, Employer

Attn: Payroll, 3800 W 143rd St

Cleveland OH 441110000

CS/bas

03/03/11